

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DORIS ANDREWS, a guardian of)	
DAMASCO RODRIGUEZ, disabled)	
)	
Plaintiff,)	No. 08 C 554
)	
vs.)	Judge Guzman
)	
CITY OF CHICAGO, and)	Magistrate Judge Keys
Chicago Police Officers)	
TIMOTHY MADISON, Star 16079, and)	
JOSE OCHOA, Star 13668,)	Jury Demand
)	
Defendants.)	

**DEFENDANTS' AMENDED MOTION TO FILE THE
PARTIES AGREED QUALIFIED PROTECTIVE ORDER**

Defendant City of Chicago and Defendant Police Officers Timothy Madison and Jose Ochoa ("Defendants"), by their attorney, Mary McDonald, Assistant Corporation Counsel, move this court to enter the Amended Agreed, Qualified Protective Order. Specifically, Defendants request that this order be entered for purposes of obtaining medical records in connection with Plaintiff Damasco Rodriguez's alleged injuries and medical condition. In addition, confidential records involving the parties, including but not limited to employment, disciplinary, financial or other information that is of a sensitive or non-public nature regarding plaintiff, defendant, non-party witnesses may be subject to discovery in this matter. In support of this motion, Defendant Officers state as follows:

1. This case filed on or about January 28, 2008. Plaintiffs' complaint alleges that their rights under the constitution of the United States were violated when the Defendant Officers unreasonably seized and allegedly used excessive force on Plaintiff, Damasco Rodriguez in violation of 42 U.S.C. § 1983.

2. Discovery is necessary with respect to Plaintiff Damasco Rodriguez's medical

condition. Further, confidential records involving the parties, including but not limited to employment, disciplinary, financial or other information that is of a sensitive or non-public nature regarding plaintiff, defendant, non-party witnesses may be subject to discovery in this matter.

3. On August 20, 2008, the Court entered Minute Order #42 which ordered that the following language “[e]ntire pleadings cannot be filed under seal. If confidential material is submitted as an exhibit to or incorporated in a pleading or brief filed with the Court, a copy of the pleading or brief with the confidential material redacted shall be filed with the Clerk of the Court, and the original pleading or brief without redaction shall be filed under seal. *See Union Oil Co. Of Cal. v. Leavell*, 220 F.3d 562, 568 (7th Cir. 2000).”

4. Therefore, Defendants request that the attached Amended Agreed Qualified Protective Order (Exhibit A) be entered.

WHEREFORE, Defendants respectfully request that this court enter the attached Qualified Protective Order and for such other relief as the court deems appropriate.

Respectfully submitted,

Mary S. McDonald
Mary McDonald
Assistant Corporation Counsel
30 N. LaSalle Street, Suite 1400
Chicago, Illinois 60602
312-744-8307
Attorney No. 06199995